

**In the Claims**

The following listing of the claims replaces all previous listings.

1. (Currently Amended) A fireplace comprising:  
an enclosure defining a chamber;  
a support structure having an ember support surface, said support surface being disposed within the chamber;  
a plurality of translucent artificial embers including fused silica particles, wherein the translucent artificial embers are disposed upon but separable from said support surface, and wherein paint is applied to ~~only a portion~~ some of the plurality of translucent artificial embers and some of the plurality of translucent artificial embers are not painted; and  
a light source positioned to pass light through at least a portion of the support structure to illuminate the translucent artificial embers.
2. (Original) The fireplace of claim 1, wherein the support structure comprises:  
a raised floor positioned above a bottom panel of the enclosure; and  
an ember support bed coupled to the raised floor and forming said ember support structure, wherein the translucent artificial embers are disposed on a top surface of the ember support bed.
3. (Original) The fireplace of claim 2, wherein the ember support bed comprises a translucent plate.
4. (Original) The fireplace of claim 2, wherein the ember support bed comprises a mesh screen.
5. (Original) The fireplace of claim 2, wherein the ember support bed comprises a perforated plate.
6. (Original) The fireplace of claim 1, further comprising a gas burner positioned above the ember support surface to provide flames and heat upon combustion.

7. (Original) The fireplace of claim 1, wherein the light source is disposed within the chamber.
8. (Previously Presented) The fireplace of claim 1, wherein the translucent artificial embers comprise fused silica particles configured to withstand temperatures of at least 3000 degrees Fahrenheit.
9. (Original) The fireplace of claim 1, wherein the support structure defines at least one aperture through said ember support surface to deliver combustible gas to the chamber.
10. (Original) The fireplace of claim 1, wherein the light source comprises components that withstand temperatures greater than 500 degrees Fahrenheit.
11. (Original) The fireplace of claim 10, wherein the light source comprises a halogen light.
12. (Currently Amended) A fireplace comprising:  
a combustion chamber enclosure, wherein the combustion chamber enclosure includes a support structure, said support structure being configured to support a plurality of loosely separable and at least partially translucent artificial embers including fused silica particles, and wherein paint is applied to ~~only a portion~~ some of the plurality of translucent artificial embers and some of the plurality of translucent artificial embers are not painted; and  
a light source arranged and configured relative to said support structure so as to illuminate said artificial embers when supported by said support structure.
13. (Original) The fireplace of claim 12, wherein the support structure defines at least one aperture to provide combustion air to the combustion chamber enclosure.
14. (Original) The fireplace of claim 12, wherein the support structure defines at least one aperture to provide combustion gas to the combustion chamber enclosure.

15. (Currently Amended) A fireplace comprising:

an enclosure, wherein the enclosure includes a support structure, said support structure being configured to support a plurality of loosely separable and at least partially translucent artificial embers including fused silica particles, and wherein paint is applied to ~~only a portion~~ some of the plurality of translucent artificial embers and some of the plurality of translucent artificial embers are not painted; and

a light source arranged and configured relative to said support structure so as to illuminate said artificial embers when supported by said support structure.

16. (Original) The fireplace of claim 15, further comprising a colored plate disposed between the light source and the plurality of supported artificial embers to generate the color of glowing embers with the plurality of supported artificial embers.

17. (Original) The fireplace of claim 15, wherein light from said light source passes through at least a portion of said support structure.

18. (Original) The fireplace of claim 15, wherein the support structure comprises an ember support bed for supporting said artificial embers.

19. (Currently Amended) An apparatus for electrically simulating glowing embers within an enclosure of a fireplace, the apparatus comprising:

a support structure configured to be insertable with the enclosure and defining an ember support bed for supportably holding a plurality of translucent artificial embers, wherein paint is applied to ~~only a portion~~ some of the plurality of translucent artificial embers and some of the plurality of translucent artificial embers are not painted;

a plurality of translucent artificial embers including fused silica particles, configured to be loosely supported by said ember support bed; and

a light source arranged and configured to pass light through the ember support bed to illuminate the translucent artificial embers.

20. (Previously Presented) The apparatus of claim 19, wherein the translucent artificial embers comprise fused silica particles configured to withstand temperatures of at least 3000 degrees Fahrenheit.
21. (Currently Amended) An apparatus for electrically simulating glowing embers within a fireplace, the apparatus comprising:
- an ember support bed;
  - a plurality of translucent artificial embers including fused silica particles, wherein the translucent artificial embers are individually arrangeable upon the ember support bed, wherein paint is applied to ~~only a portion~~ some of the plurality of translucent artificial embers and some of the plurality of translucent artificial embers are not painted; and
  - a light source positioned to pass light through at least a portion of the ember support bed to illuminate the loose translucent artificial embers.
22. (Previously Presented) The apparatus of claim 21, wherein the translucent artificial embers comprise fused silica particles configured to withstand temperatures of at least 3000 degrees Fahrenheit.
23. (Currently Amended) An apparatus for electrically simulating glowing embers within a fireplace, the apparatus comprising:
- means for loosely supporting a plurality of translucent artificial embers, wherein paint is applied to ~~only a portion~~ some of the plurality of translucent artificial embers and some of the plurality of translucent artificial embers are not painted; and
  - means for illuminating the plurality of translucent artificial embers.
24. (Currently Amended) A method for electrically simulating glowing embers within a fireplace, comprising:
- providing an enclosure, wherein the enclosure defines a chamber;
  - disposing an ember support bed structure within the chamber;
  - arranging a plurality of translucent artificial embers including fused silica particles on said ember support bed structure, wherein paint is applied to ~~only a portion~~ some of the plurality

of translucent artificial embers and some of the plurality of translucent artificial embers are not painted;

providing a light source to produce a light beam; and

passing said light beam through at least a portion of the artificial embers to illuminate the translucent artificial embers.

25. (Canceled)

26. (Original) The method of claim 24, further comprising the step of passing said light beam through at least a portion of said ember support bed structure to illuminate said artificial embers.

27. (Currently Amended) A method for electrically simulating glowing embers within a fireplace, comprising:

providing an enclosure, wherein the enclosure defines a chamber;

disposing an ember support bed structure within the chamber to support a plurality of loosely separable and at least partially translucent artificial embers including fused silica particles, wherein paint is applied to ~~only a portion~~ some of the plurality of translucent artificial embers and some of the plurality of translucent artificial embers are not painted; and

providing a light source to produce and pass a light beam through at least a portion of the artificial embers to illuminate the translucent artificial embers.

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